

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

LOOP AI LABS INC,  
Plaintiff,

v.

ANNA GATTI, et al.,  
Defendants.

Case No. [15-cv-00798-HSG](#) (DMR)

**ORDER ON ALMAWAVE'S MOTION  
FOR SANCTIONS RE PLAINTIFF'S  
DOCUMENT PRODUCTION**

Re: Dkt. No. 584

Defendant Almaxwave USA, Inc. ("Almaxwave") filed a motion for sanctions based on Plaintiff Loop AI Labs Inc.'s alleged failure to comply with the court's March 10 and March 21, 2016 orders to make its document production available to all parties on a disk or via Dropbox (Docket Nos. 465, 501). [Docket No. 584.] In its opposition, Plaintiff represents that it has complied with the court's orders and made its entire production "available several times" and that on or around April 8, 2016, it "handed . . . in person" to Almaxwave's counsel a USB drive containing Plaintiff's "entire production" of documents. [Docket No. 588.]

This court has previously noted the parties' lamentable discovery conduct, which has consumed an unjustifiable amount of court resources. [*See, e.g.*, Docket Nos. 271, 465; *see also* Docket No. 415 (Feb. 5, 2016 Order by Hon. Haywood S. Gilliam).] The parties have inundated the court with discovery motions due to their inability to resolve even the most basic discovery disputes without court intervention. Accordingly, the court has been forced to attempt to triage and prioritize the discovery motions, and for that reason is presently deferring consideration of sanctions motions that do not impact the merits of the parties' overall claims and defenses. While it appears that Plaintiff has remedied any deficiencies in its document production, Almaxwave's motion for sanctions could impact the pending summary judgment motions because it asks the court for an order prohibiting Plaintiff from introducing at trial or summary judgment any

documents that were not provided via Dropbox as of March 21, 2016, among other things. Therefore, the court orders the following: if, in connection with its opposition to the pending summary judgment motions, Plaintiff attempts to rely on documents that **were not provided to Defendants via Dropbox or on a disk by April 8, 2016**, Almaxave may file a statement identifying any such documents and setting forth the reasons why the documents should have been made available to Defendants via Dropbox or on a disk by April 8, 2016. Almaxave shall file any such statement with its reply brief in connection with its motion for summary judgment. The court will provide further instructions to Plaintiff as appropriate.

The court defers consideration of sanctions for Plaintiff's alleged failure to comply with the court's March 10 and March 21, 2016 orders.

**IT IS SO ORDERED.**

Dated: July 4, 2016

